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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,119	07/24/2003	Gary W. DiTroia	003B.0033.U2(US)	3915
29683	7590	11/12/2004	EXAMINER	
HARRINGTON & SMITH, LLP			TRINH, MINH N	
4 RESEARCH DRIVE			ART UNIT	PAPER NUMBER
SHELTON, CT 06484-6212			3729	

DATE MAILED: 11/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/627,119

**Applicant(s)**

DITROIA, GARY W.

**Examiner**

Minh Trinh

**Art Unit**

3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2004.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 11-16 and 20-28 is/are pending in the application.  
4a) Of the above claim(s) 24-28 is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 11-16 and 20-23 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/24/03.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Applicant's election with traverse of Group I (claims 11-16 and 20-23) in the reply filed on 7/30/04. The traversal is on the ground(s) that the examiner has not established a prima facie case of serious burden of examination of the inventions of Groups I and II together. This is not found persuasive because the examiner has, established a prima facie case having shown in prior Office action (first paragraph and second paragraph), that the invention of group I has a separate from the inventions of Group II and clearly have a separate status in the art and/or field of search. In accordance with MPEP §803, the examiner has demonstrated that the inventions of Group I and II are each independent or distinct as claimed (as indicated in prior Office action) and a serious burden would be placed on the examiner in as much as the searches are not coextensive and the art is quite prolific. Accordingly, the requirement is repeated and **MADE FINAL**. A complete reply to the final rejection must include cancellation of nonelected invention (claims 24-28) or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

2. Thus, claims 24-28 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention I, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 7/30/04.

An Office action on the merits of claims 11-16 and 20-23 as follows:

***Specification***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is suggested: "A method of making electrical connector for angled connector" or the like.
4. The abstract of the invention should be revised to read on the method invention.

***Claim Objections***

5. "A method" (claims 12-16 and 21-23, line 1) should be changed to: --The method--, to reflect the dependent claim formats. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 11-16 and 20-23 are rejected under 35 U.S.C. 102(b) as being anticipated by O.J. Alvarez (2,580,269).

Alvarez discloses a method for forming connector comprising: extruding a metal member having a channel therein (see Figs. 1 and 2, depicts a C metal channel, and bending the metal member 10 such that the channel forms two angled conductor receiving areas 30, 32, each conductor receiving area having a channel axis angled

relative to each other (see Figs. 1-2). Note that the centerline of references 30 and 32 represented "a channel axis angled relative to each other" as broadly claimed by the present invention.

As applied to claims 12-15, noting Figs. 1-2 of O.J. Alvarez discloses the metal member having the shape and or configuration as recited in these claims, i.e., a slot about reference 18 along a side into the channel (see Fig. 1).

As applied to claim 16, O.J. Alvarez discloses the bending the metal member to form an angle of at least 45 degrees (see Fig. 2).

Limitations of claims 20-23 are also met by O.J. Alvarez (see Figs. 1-2 and similar to the discussion as described above).

### ***Prior Art References***

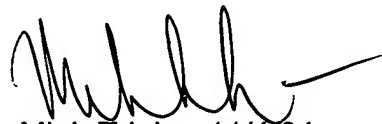
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Prior art references are cited for their teaching of method of manufacturing connector or the like.

### ***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Trinh whose telephone number is (703) 305-2887. The examiner can normally be reached on Monday -Thursday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (703) 308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Minh Trinh 11/4/04  
Primary Examiner Group 3700

mt